

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PAUL MATTHEW ZAPATA,  
Petitioner,

v.

RODOLFO VASQUEZ, Warden,  
Respondent.

No. C-11-0032 TEH (PR)

ORDER DENYING CERTIFICATE OF  
APPEALABILITY AND LEAVE TO  
PROCEED IN FORMA PAUPERIS ON  
APPEAL

\_\_\_\_\_/ Doc. #7

Petitioner's pro se Petition for a Writ of Habeas Corpus  
was DISMISSED without prejudice for the reasons stated in the Order  
of Dismissal. A Certificate of Appealability is DENIED because  
Petitioner has not demonstrated that "jurists of reason would find  
it debatable whether the petition states a valid claim of the denial  
of a constitutional right and that jurists of reason would find it  
debatable whether the district court was correct in its procedural  
ruling." Slack v. McDaniel, 529 U.S. 473, 484 (2000).

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1           Petitioner's motion to proceed in forma pauperis on appeal  
2 (Doc. #7) is DENIED without prejudice to Petitioner seeking in forma  
3 pauperis status directly from the Ninth Circuit Court of Appeal.  
4 See Fed. R. App. P. 24(b).

5           IT IS SO ORDERED.

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7 DATED       04/16/2012

  
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THELTON E. HENDERSON  
United States District Judge

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